













Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2022/0277(COD) Awaiting committee decision
European Media Freedom Act Amending Directive 2010/13 2009/0056(COD)	
Subject 2 Internal market, single market 3.30.01 Audiovisual industry and services 3.30.02 Television, cable, digital, mobile 3.30.04 Radiocommunications, broadcasting 3.30.08 Press, media freedom and pluralism	
Legislative priorities Joint Declaration 2023-24 Joint Declaration 2022	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Culture and Education	 VERHEYEN Sabine	09/02/2023
		Shadow rapporteur	
		 KAMMEREVERT Petra	
		 JOVEVA Irena	
		 RIBA I GINER Diana	
		 GRISSET Catherine	
		 SLABAKOV Andrey	
		 KOULOGLOU Stelios	
	Committee for opinion	Rapporteur for opinion	Appointed
 Internal Market and Consumer Protection (Associated committee)	 DIDIER Geoffroy	23/11/2022	
 Civil Liberties, Justice and Home Affairs (Associated committee)	 STRUGARIU Ramona	22/03/2023	
Council of the European Union	Commission DG	Commissioner	
European Commission	Communications Networks, Content and Technology	BRETON Thierry	
European Economic and Social Committee			

Key events			
16/09/2022	Legislative proposal published	COM(2022)0457	Summary
17/10/2022	Committee referral announced in Parliament, 1st reading		
16/03/2023	Referral to associated committees announced in Parliament		

Forecasts	
16/10/2023	Indicative plenary sitting date

Technical information	
Procedure reference	2022/0277(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Directive 2010/13 2009/0056(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 114; Rules of Procedure EP 57
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Awaiting committee decision
Committee dossier	CULT/9/10141

Documentation gateway					
Legislative proposal		COM(2022)0457	16/09/2022	EC	Summary
Document attached to the procedure		SEC(2022)0322	16/09/2022	EC	
Document attached to the procedure		SWD(2022)0286	16/09/2022	EC	
Document attached to the procedure		SWD(2022)0287	16/09/2022	EC	
Document attached to the procedure		N9-0001/2023 OJ C 487 22.12.2022, p. 0009	11/11/2022	EDPS	
Economic and Social Committee: opinion, report		CES4748/2022	14/12/2022	ESC	
Committee of the Regions: opinion		CDR1745/2023	15/03/2023	CofR	
Committee draft report		PE746.655	20/04/2023	EP	
Amendments tabled in committee		PE747.019	05/05/2023	EP	
Amendments tabled in committee		PE747.022	05/05/2023	EP	
Amendments tabled in committee		PE747.023	05/05/2023	EP	
Amendments tabled in committee		PE747.024	05/05/2023	EP	
Amendments tabled in committee		PE747.025	05/05/2023	EP	

PURPOSE: to establish a common framework for media services in the internal market (European Media Freedom Act) to safeguard the pluralism and independence of the media in the EU internal market.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: independent media services play a unique role in the internal market. Given their unique role, the protection of media freedom and pluralism is an essential feature of a well-functioning internal market for media services. This market has substantially changed since the beginning of the new century, becoming increasingly digital and international. It offers many economic opportunities but also faces a number of challenges.

Against this background, the proposal seeks to tackle a series of problems affecting the functioning of the internal market for media services and the operation of media service providers. In particular, media companies face obstacles hindering their operation and impacting investment conditions in the internal market such as different national rules and procedures related to media freedom and pluralism. These rules include in particular scrutiny of market concentrations for media pluralism purposes and protectionist measures affecting the operation of media companies. Such rules have created fragmentation in the internal market, impacting legal certainty for media market players and resulting in additional costs when operating across borders.

The proposal is in line with the EU's efforts in promoting democratic participation, fighting disinformation and supporting media freedom and pluralism as set out in the [European Democracy Action Plan](#).

CONTENT: the proposal lays down common rules for the proper functioning of the internal market for media services, including the establishment of the European Board for Media Services, while preserving the quality of media services.

It is articulated around four specific objectives:

(1) Fostering cross-border activity and investment in media services by harmonising certain elements of the diverging national media pluralism frameworks, in particular to facilitate cross-border service provision. Through coordination at EU level, the proposal aims to ensure that when assessing media market concentrations independent national authorities approach media pluralism and media independence in a consistent manner.

(2) Increasing regulatory cooperation and convergence through cross-border coordination tools and EU-level opinions and guidelines. This will promote consistent approaches to media pluralism and media independence and provide effective protection for users of media services from illegal and harmful content, including online and with regard to service providers (including from third countries) not following EU media standards.

(3) Facilitating provision of quality media services by mitigating the risk of undue public and private interference in editorial freedom. The proposal aims to guarantee that journalists and editors can work without interference, including when it comes to protecting their sources and communications. By fostering editorial independence, it also guarantees better protection for the interests of recipients of media services.

(4) Ensuring transparent and fair allocation of economic resources in the internal media market by enhancing transparency and fairness in audience measurement and allocation of state advertising. The proposal aims to ensure transparency, non-discrimination, proportionality, objectivity and inclusiveness of audience measurement methodologies, in particular online. It will also ensure transparency, non-discrimination, proportionality and objectivity in allocation of state advertising to media outlets, in order to minimise the risks of the misuse of public funding for partisan interests, to the detriment of other market players. It will thus promote fair competition in the internal media market.

More specifically, the proposal lays down the following provisions:

European Board for Media Services

The proposal establishes the European Board for Media Services, the collective body of independent media regulators, replacing and succeeding the European Regulators Group for Audiovisual Media Services (ERGA). It sets out the requirements for the independence of the Board and specifies its structure. The Board will receive administrative and organisational support, required for carrying out its tasks, from a secretariat provided by the Commission. The Chapter lists the tasks of the Board under the Regulation.

Large online platforms

Regarding specific issues concerning the provision of media services in a digital environment, the proposal offers additional protection against the unjustified removal by very large online platforms of media content produced according to professional standards. Such platforms will need to take all possible measures to communicate the reasons for suspending content to media service providers before the suspension takes effect. The procedure includes a series of safeguards to ensure that this early warning procedure is in line with other priorities of the Commission, such as the fight against disinformation. Any complaints lodged by media service providers must be processed with priority by those platforms. The proposal provides for a meaningful and effective dialogue between the parties to avoid unjustified content removals and for obligatory annual reporting by very large online platforms.

Audience measurement

Requirements for audience measurement systems and methodologies should be deployed by relevant market players. The rules are accompanied by an encouragement to draw up codes of conduct and to foster exchanges of best practices. The proposal also provides for common requirements on the allocation of state advertising expenditure to media service providers, without affecting the public procurement rules and the State aid rules.

Cooperation and monitoring

The proposal establishes rules and procedures for regulatory cooperation and convergence in the internal media market, comprising a mechanism for structured cooperation, requests for enforcement measures, guidance on media regulation matters and coordination of measures concerning third-country media services. The provisions are intended to ensure a closer cooperation among national regulatory authorities and bodies in different areas of media regulation.

An evaluation of the instrument and a report to the European Parliament, the Council and the European Economic and Social Committee are

envisaged within 4 years from its entry into force and every 4 years thereafter.

Transparency				
FREUND Daniel	Shadow rapporteur for opinion	LIBE	31/05/2023	RTL Deutschland GmbH
VERHEYEN Sabine	Rapporteur	CULT	31/05/2023	German Federal Film Board
VERHEYEN Sabine	Rapporteur	CULT	31/05/2023	EUROKINEMA, Association de producteurs de cinéma et de télévision European Audiovisual Production Association European Coalitions for Cultural Diversity Society of Audiovisual Authors Federation of European Screen Directors
KAMMEREVERT Petra	Shadow rapporteur	CULT	04/05/2023	MFE - MEDIAFOREUROPE N.V
VERHEYEN Sabine	Rapporteur	CULT	03/05/2023	Audience Measurement Coalition
VERHEYEN Sabine	Rapporteur	CULT	02/05/2023	Danish Government
KAMMEREVERT Petra	Shadow rapporteur	CULT	27/04/2023	Access Now Europe
KAMMEREVERT Petra	Shadow rapporteur	CULT	27/04/2023	European Digital Rights
FREUND Daniel	Shadow rapporteur for opinion	LIBE	27/04/2023	Google
VERHEYEN Sabine	Rapporteur	CULT	25/04/2023	Conde Nast Holdings Limited
HETMAN Krzysztof	Member	04/05/2023	Motion Picture Association EMEA	
BENIFEI Brando	Member	20/04/2023	Google	
ALBUQUERQUE João	Member	13/04/2023	Google	
ALBUQUERQUE João	Member	04/04/2023	EU DisinfoLab	
AL-SAHLANI Abir	Member	29/03/2023	Reportrar utan gränser	
FARRENG Laurence	Member	29/03/2023	France Télévisions	
HETMAN Krzysztof	Member	21/03/2023	Association of Commercial Television and Video on Demand Services in Europe	
ANGEL Marc	Member	15/03/2023	The Walt Disney Company Benelux BVBA	

MICHELS Martina	Member	06/03/2023	EBU-UER (European Broadcasting Union)
WÖLKEN Tiemo	Member	01/03/2023	EU DisinfoLab